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7 HARRIS LEE WINNS,  
8 Plaintiff,  
9 v.  
10 EXELA ENTERPRISE SOLUTIONS INC,  
11 Defendant.

Case No. 20-cv-06762-YGR (JSC)

**NOTICE AND ORDER REGARDING  
VIDEO SETTLEMENT CONFERENCE**

12 TO ALL PARTIES AND COUNSEL OF RECORD:

13 The above matter was referred to Magistrate Judge Jacqueline Scott Corley for  
14 settlement purposes.

15 1. The Court will hold a Zoom Video Settlement Conference with counsel and the parties  
16 on **May 17, 2021, at 10:30 a.m.** The Settlement Conference may be accessed using  
17 the following Zoom meeting information:

18 **Meeting ID:** 160 069 6279    **Passcode:** 019639

19 2. The Settlement Conference is confidential and shall not be recorded, by video, audio or  
20 otherwise, and each Settlement Conference participant is responsible for ensuring that  
21 no unauthorized person can view or hear the Settlement Conference while it is  
22 occurring.

23 3. Counsel shall ensure that whatever discovery is needed for all sides to evaluate the  
24 case for settlement purposes is completed by the date of the Settlement Conference. Counsel shall  
25 cooperate in providing discovery informally and expeditiously.

26 4. Lead trial counsel shall appear by video at the Settlement Conference with the  
27 parties also by video. Any party who is not a natural person shall be represented by the person(s)

1 with **unlimited** authority to negotiate a settlement. An insured party shall appear with a  
2 representative of the carrier with full authority to negotiate up to the limits of coverage. A person  
3 who needs to call another person not present before agreeing to any settlement does not have full  
4 authority.

5 5. Personal attendance of a party representative will rarely be excused by the Court.  
6 To seek to excuse a party from personally attending a settlement conference, counsel for that  
7 party shall meet and confer with counsel for all other parties to determine if there are any  
8 objections to the moving party's absence. Counsel must then email a letter to the Court  
9 (JSCsettlement@cand.uscourts.gov), with copies to all parties, seeking to excuse the party's  
10 participation. The letter shall recite the reasons for seeking the party's absence, as well as  
11 whether the other parties agree or object to the request and the reasons for any objection. The  
12 application to excuse a party must be lodged no later than the lodging of the Settlement  
13 Conference Statement.

14 6. Each party shall prepare a Settlement Conference Statement, which must be  
15 emailed in .pdf format to [JSCsettlement@cand.uscourts.gov](mailto:JSCsettlement@cand.uscourts.gov) at least one week before the  
16 Settlement Conference.

17 7. The Settlement Conference Statement shall be served on opposing counsel. Any  
18 party may submit an additional confidential statement to the Court. The contents of this  
19 confidential statement will not be disclosed to the other parties.

20 8. The Settlement Conference Statement shall include at least the following:  
21 a. A brief statement of the facts of the case.  
22 b. A brief statement of the claims and defenses including, but not limited  
23 to, statutory or other grounds upon which the claims are founded, and a  
24 candid evaluation of the parties' likelihood of prevailing on the claims  
25 and defenses; and a description of the major issues in dispute.  
26 c. A summary of the proceedings to date and any pending motions.  
27 d. The relief sought.  
28 e. Any discrete issue that, if resolved, would facilitate the resolution of the

1 case.

2 f. The party's position on settlement, including present demands and  
3 offers and a history of past settlement discussions.

4 g. A list of who will attend the settlement conference on behalf of each  
5 side, including counsel and insurance representatives.

6 9. The parties shall notify Chambers immediately at [JSCsettlement@cand.uscourts.gov](mailto:JSCsettlement@cand.uscourts.gov)  
7 if this case settles prior to the date set for the Settlement Conference.

8 10. The Court will hold Pre-Settlement Telephone Conference on **April 27, 2021 at 9:30**  
9 **a.m. (Conference Call Number 1-866-590-5055 Access Code: 8423161)**

10 **IT IS SO ORDERED.**

11 Dated: February 22, 2021

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15 JACQUELINE SCOTT CORLEY  
16 United States Magistrate Judge  
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